



# UNITED STATES PATENT AND TRADEMARK OFFICE

MN

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/057,998	01/29/2002	Naoshi Matsuo	1359.1061	3115
21171	7590	06/12/2007		
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			EXAMINER HALIM, SAHERA	
			ART UNIT 2157	PAPER NUMBER
			MAIL DATE 06/12/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/057,998

Applicant(s)

MATSUO, NAOSHI

Examiner

Sahera Halim

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on 05 April 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

1. This Office Action is responsive to communication filled on October 16, 2006.
2. Claims 1 and 3-12 are pending in the application.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 1, 3-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over US. Pat. No. 6,609,106 to Robertson (hereinafter Robertson) in view of Watts, U.S Pat. No. 6,327,623 (hereinafter Watts).

5. Regarding claim 1, Robertson teaches an information providing system, comprising: one or a plurality of user terminals (Fig. 1, numeral 50); a service providing server providing a service to the user terminal (Fig. 1, numeral 60, IS); and an information brokering server brokering information on contents of the service provided by the service providing server to the user terminal, wherein the information brokering server comprises (Fig. 1 numeral 70, Gift Registry Service):

an information brokering part receiving an information search request from the user terminal, and brokering corresponding information to the user terminal in

accordance with the search request; and a user access information control part notifying the service providing server of user access information generated by evaluating contents of access to the information brokering server by a user, based on an information search action by the user and contents of information brokered to the user (Fig. 30 and 41 and col. 18, line 34 – 45 and col. 19, lines 50 – 60; user sends search request and receives content of gift registry);

an information browsing environment detecting part detecting information on a configuration of the user terminal; and an information editing part editing information provided by the service providing server in a data format suitable for presentation in the configuration of the user terminal based on the information on the configuration of the user terminal detected by the information browsing environment detecting part, wherein the information brokering part brokers the information edited by the information editing part to the user terminal (col. 13, line 7 – 32), and

the service providing server comprises: an incentive adjusting part adjusting contents of an incentive to be given to the user based on the user access information notified from the information brokering server, in a case of receiving an information providing a request from the user of the user terminal (col. 13, lines 1-35); and

an executing part receiving the information providing the request from the user and executing the service in accordance with the information providing the request according to the contents of the incentive (col. 13, line 1-35, incentive is modified according to the number of participating users).

Although the system disclosed by Robertson shows substantial features of the claimed invention (discussed above), it fails to explicitly disclose detecting information on a hardware configuration of the user terminal to determine capabilities of the user terminal for browsing information. However, these features are well known in the art and would have been an obvious modification of the system disclosed by Robertson, as evidenced by Watts. Watts discloses an information browsing environment detecting part detecting information on hardware configuration of the user terminal to determine capabilities of the user terminal for browsing information (see abstract and col. 7, line 14 – 37, Watts teaches detecting hardware configuration of a user PC). Given the teachings of Robertson and Watts, a person having ordinary skill in the art at the time of the invention would have readily recognized the desirability and advantages of modifying Robertson by determining browsing capabilities of the user terminal disclosed by Watts in order to increase the ease of using a computer (see col. 2, line 11 -15).

6. As to claim 3, Robertson teaches the information providing system according to claim 2, wherein, in a case where text information can be presented at the user terminal, the information editing part conducts edition of incorporating banner advertisement in a part of the information provided by the service providing server (col. 13, line 1 – 34).

7. Reference to claim 4, Robertson teaches the information providing system according to claim 1, wherein the user access information control part in the information brokering server evaluates the contents of access to the information brokering server by the user, considering an information search history of the user and contents of user information included in the search request by the user (col. 18, line 34 – 57 and col. 22, line 59 – col. 23, line 18).

8. Regarding claim 5, Robertson teaches the information providing system according to claim 1, wherein the information brokered to the user terminal in the information brokering server contains main information and sub-information, the main information is retrieved based on the information search request from the user, and the sub-information is not retrieved based on the information search request from the user (col. 18, line 34 – 57 and col. 22, line 59 – col. 23, line 18).

9. Reference to claim 6, Roberson teaches the information providing system according to claim 5, wherein, in a case where the user notifies the service providing server of an information providing request regarding the sub-information and an information providing request regarding the main information, the incentive adjusting part adjusts the contents of the incentive to be given to the user, based on the user access information and the information providing requests regarding the main information and the sub-information (col. 13, line 1-35).

10. Regarding claim 7, Roberson teaches the information providing system according to claim 5, wherein the information providing system comprises a plurality of information brokering servers, the main information corresponds to an information search request from the user, and the sub-information is provided by a service providing server other than a service providing server that provides the main information (col. 18, line 34 – 57 and col. 22, line 59 – col. 23, line 18, and Figs. 30 and 41).

11. As to claim 8, Roberson discloses the information providing system according to claim 1, wherein the incentive adjusting part adjusts the contents of the incentive to be given to the user, based on the user access information and an information providing request history of the user (col. 13, line 1-35).

12. Reference to claims 9, 10 and 11, claims 9 –12 are rejected under the same rationale as claim 1. Although claims 9 – 12 are not identical to claim 1, they do not further teach or differ over the limitations of claim 1.

### ***Response to Arguments***

13. Applicant's arguments with respect to claims 1, 3-12 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

14. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sahera Halim whose telephone number is (571) 272-4003. The examiner can normally be reached on Mondays and Thursdays from 8:00-6:30.

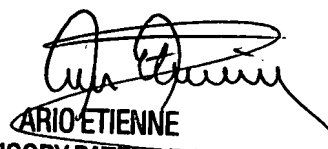
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Sahera Halim  
Patent Examiner  
AU: 2157

June 6, 2007

  
ARIO-ETIENNE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100